

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re **Continuation Application** of 09/051,793,
filed April 13, 2001, which is a Continued
Prosecution Application of Application No.
09/051,793, filed September 2, 1998, of:

Claude DUBIEF and Christine DUPUIS

Application No.: Unassigned

Filed: March 8, 2002

For: COSMETIC COMPOSITION FOR THE
TREATMENT OF KERATINOUS
MATERIALS COMPRISING AT LEAST
A GRAFTED SILICONE POLYMER
AND AT LEAST AN AQUEOUS DISPERSION
OF INSOLUBLE PARTICLES OF NONIONIC
OR CATIONIC POLYMER

Prior Group

Art Unit: 1615

Prior Examiner: L. Channavajjala

Commissioner for Patents
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Prior to examination of the above-identified continuation application, please
amend this application as follows:

IN THE CLAIMS:

Please cancel claims 1-29 without prejudice or disclaimer and add new claims
30-67 as follows:

--30. (New) A cosmetic or dermatological composition comprising, in a
cosmetically or dermatologically acceptable medium, at least one grafted silicone

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polymer with a polysiloxane skeleton grafted with non-silicone organic monomers and at least one aqueous dispersion of insoluble particles of at least one cationic polymer.

31. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one grafted silicone polymer and said at least one aqueous dispersion are present in said composition in a combined amount effective for treating a keratin substance.

32. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one grafted silicone polymer comprises a main polysiloxane chain on which is grafted, inside said chain and optionally on at least one of its ends, at least one organic group containing no silicone.

33. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one grafted silicone polymer is obtained by radical copolymerization of:

at least one non-silicone anionic organic monomer having ethylenic unsaturation and/or a non-silicone hydrophobic organic monomer having ethylenic unsaturation, and,

at least one polysiloxane having in its chain at least one functional group capable of reacting with at least one of said ethylenic unsaturations of said non-silicone monomers.

34. (New) A cosmetic or dermatological composition according to claim 33, wherein said at least one polysiloxane has more than one functional group in its chain.

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35. (New) A cosmetic or dermatological composition according to claim 33, wherein said non-silicone anionic organic monomer is chosen from linear and branched unsaturated carboxylic acids.

36. (New) A cosmetic or dermatological composition according to claim 35, wherein said non-silicone anionic organic monomer is chosen from acrylic acid, methacrylic acid, maleic acid, maleic anhydride, itaconic acid, fumaric acid, and crotonic acid, and alkali metal, alkaline-earth metal and ammonium salts thereof.

37. (New) A cosmetic or dermatological composition according to claim 33, wherein said non-silicone hydrophobic organic monomer is chosen from acrylic acid esters of an alkanol and methacrylic acid esters of an alkanol.

38. (New) A cosmetic or dermatological composition according to claim 37, wherein said alkanol is C₁-C₁₈.

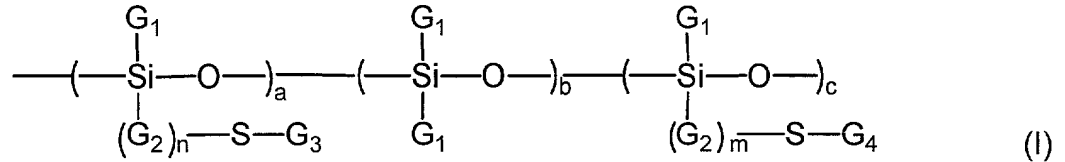
39. (New) A cosmetic or dermatological composition according to claim 37, wherein said non-silicone hydrophobic organic monomer is chosen from isooctyl (meth)acrylate, isononyl (meth)acrylate, 2-ethylhexyl (meth)acrylate, lauryl (meth)acrylate, isopentyl (meth)acrylate, n-butyl (meth)acrylate, isobutyl (meth)acrylate, methyl (meth)acrylate, tert-butyl (meth)acrylate, tridecyl (meth)acrylate and stearyl (meth)acrylate.

40. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one grafted silicone polymer comprises, on the main silicone chain, at least one organic group of anionic nature obtained by radical (homo) polymerization of at least one anionic unsaturated carboxylic acid monomer, partially or totally neutralized in the form of a salt.

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41. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one grafted silicone polymer is chosen from silicone polymers containing at least one unit of formula (I):



in which:

- G_1 independently represents hydrogen or a $\text{C}_1\text{-C}_{10}$ alkyl radical or a phenyl radical;
- G_2 independently represents a $\text{C}_1\text{-C}_{10}$ alkylene group;
- G_3 represents a polymer residue from the (homo)polymerization of at least one anionic monomer containing ethylenic unsaturation;
- G_4 represents a polymer residue from the (homo)polymerization of at least one hydrophobic monomer containing ethylenic unsaturation;
- m and n are equal to 0 or 1;
- a is an integer ranging from 0 to 50;
- b is an integer ranging from 10 to 350; and
- c is an integer ranging from 0 to 50; wherein either a or c is not 0.

42. (New) A cosmetic or dermatological composition according to claim 41, wherein said unit of formula (I) has at least one of the following characteristics:

- G_1 independently denotes a $\text{C}_1\text{-C}_{10}$ alkyl radical;

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- n is not zero;
- G_2 independently represents a divalent C_1-C_3 radical; and
- G_3 represents a polymeric radical from the (homo)polymerization of at least one carboxylic acid monomer containing ethylenic unsaturation; and
- G_4 represents a polymeric radical from the (homo)polymerization of at least one C_1-C_{10} alkyl (meth)acrylate monomer.

43. (New) A cosmetic or dermatological composition according to claim 41, wherein said unit of formula (I) simultaneously has the following characteristics:

- G_1 denotes a methyl radical;
- n is not zero;
- G_2 represents a propylene radical;
- G_3 represents a polymeric radical from the (homo)polymerization of at least acrylic acid and/or methacrylic acid; and
- G_4 represents a polymeric radical from the (homo)polymerization of at least methyl (meth)acrylate.

44. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one grafted silicone polymer has a number-average molecular mass ranging from 10,000 to 1,000,000.

45. (New) A cosmetic or dermatological composition according to claim 44, wherein said at least one grafted silicone polymer has a number-average molecular mass ranging from 10,000 to 100,000.

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46. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one grafted silicone polymer is present in an amount ranging from 0.01 to 20% by weight relative to the total weight of said composition.

47. (New) A cosmetic or dermatological composition according to claim 46, wherein said at least one grafted silicone polymer is present in an amount ranging from 0.1 to 15% by weight relative to the total weight of said composition.

48. (New) A cosmetic or dermatological composition according to claim 47, wherein said at least one grafted silicone polymer is present in an amount ranging from 0.5 to 10% by weight relative to the total weight of said composition.

49. (New) A cosmetic or dermatological composition according to claim 30, wherein the polymer of said at least one aqueous dispersion is formed from at least one monomer chosen from styrene, butadiene, ethylene, propylene, vinyltoluene, vinyl propionate, vinyl alcohol, acrylonitrile, chloroprene, vinyl acetate, urethanes, isoprene, isobutene and esters and amides of acrylic, methacrylic, maleic, crotonic and itaconic acids, vinyl ether, vinylpyrrolidone, vinylimidazole, and trimethylammonioethyl (meth)acrylate.

50. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one cationic polymer is chosen from polyesters, polyamides, polyurethanes and polyethers.

51. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one cationic polymer is chosen from:

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copolymers of acrylamide and of trimethylammonioethyl (meth)acrylate; and copolymers of alkyl methacrylate, of alkyl acrylate and of trimethylammonioethyl (meth)acrylate.

52. (New) A cosmetic or dermatological composition according to claim 30, wherein said insoluble polymer particles are present in an amount ranging from 0.1 to 50% relative to the total weight of said composition.

53. (New) A cosmetic or dermatological composition according to claim 30, wherein said insoluble polymer particles are present in an amount ranging from 1 to 30% relative to the total weight of said composition.

54. (New) A cosmetic or dermatological composition according to claim 30, further comprising at least one additive.

55. (New) A cosmetic or dermatological composition according to claim 54, wherein said at least one additive is chosen from thickeners, fatty acid esters, fatty acid esters of glycerol, silicones, surfactants, fragrances, preserving agents, sunscreens, proteins, vitamins, polymers, plant, animal, mineral and synthetic oils and any other additive conventionally used in the cosmetics field.

56. (New) A cosmetic or dermatological composition according to claim 30, wherein said cosmetically or dermatologically acceptable medium comprises water or a mixture of water and at least one cosmetically acceptable solvent.

57. (New) A cosmetic or dermatological composition according to claim 56, wherein said at least one cosmetically acceptable solvent is chosen from monoalcohols, polyalcohols, glycol ethers, and fatty acid esters.

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58. (New) A cosmetic or dermatological composition according to claim 31, wherein said keratin substance is human hair.

59. (New) A cosmetic or dermatological composition according to claim 30, wherein said composition is in the form of a gel, a milk, a cream, a lotion or a mousse.

60. (New) A cosmetic or dermatological composition according to claim 30, wherein said composition is in the form of a styling product.

61. (New) A cosmetic or dermatological composition according to claim 60, wherein said styling product is a hairsetting lotion, a blowdrying lotion, a hair fixing composition or a hair styling composition.

62. (New) A cosmetic or dermatological composition according to claim 30, wherein said composition is in the form of a shampoo or a rinse-out or leave-in hair product to be applied before or after shampooing, dyeing, bleaching, permanent-waving or straightening the hair.

63. (New) A cosmetic or dermatological composition according to claim 30, wherein said composition is packaged in the form of a vaporizer, a pump-dispenser bottle or in an aerosol container.

64. (New) A cosmetic or dermatological composition according to claim 30, wherein said at least one grafted silicone polymer is dissolved in the cosmetically or dermatologically acceptable medium or is in the form of an aqueous dispersion of insoluble particles.

65. (New) A non-therapeutic process for treating a keratin substance comprising:

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applying to said keratin substance a composition comprising, in a cosmetically or dermatologically acceptable medium, at least one grafted silicone polymer with a polysiloxane skeleton grafted with non-silicone organic monomers and at least one aqueous dispersion of insoluble particles of at least one cationic polymer; and optionally rinsing with water.

66. (New) A non-therapeutic process according to claim 65, wherein said keratin substance is hair.

67. (New) A cosmetic or dermatological composition according to claim 63, wherein said composition is obtained from said aerosol container in the form of a spray, a laquer or a mousse.--

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REMARKS

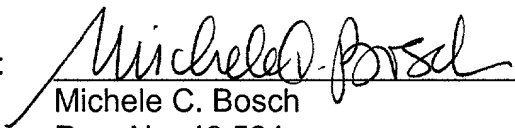
Upon entry of this amendment, claims 1-29 are canceled and claims 30-67 are pending in this application. Applicants have exercised the right to file a Continuation Application under 37 C.F.R. § 1.53(b), directed to the canceled subject matter of originally filed parent application claims. Support for the new claims can be found in the specification and claims as originally filed in Applicant's parent application. Applicants submit that no new matter has been added by this Preliminary Amendment. Accordingly, Applicants respectfully request entry of this Preliminary Amendment, consideration of this application and the timely allowance of pending claims 31-67.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By:


Michele C. Bosch
Reg. No. 40,524

Dated: March 8, 2002

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